

### ENCLOSURES

Minimum requirements under 37 CFR 1.53(b) (Utility) or 37 CFR 1.153 (Design)

- ☒ 34 pages of specification;
  - ☒ 6 pages of claims;
  - ☒ 1 -page(s) of abstract;
  - ☒ 9 sheets of formal drawings;
  - ☒ A Declaration, Power of Attorney & Petition or listing of inventors;
- and
- ☒ A postcard for return to us as proof of receipt of the above documents.

plus

- ☒ An Assignment of the invention to Hitachi, Ltd. and Assignment cover sheet and Assignment of Invention to OpNext Japan and Assignment cover sheet.
- ☐ Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))
- ☒ Form PTO-1449 (IDS) and copies of the references listed thereon;
- ☐ A certified copy of \_\_\_\_\_ (country) patent application number 8-236494 (priority document).
- ☐ A preliminary amendment;
- ☐ Declaration of Biological Deposit;
- ☐ Submission of sequence listing, computer readable copy and/or amendment relating thereto for biotechnology invention containing nucleotide and/or amino acid sequence;
- ☐ An associate power of attorney;
- ☐ Other.

### DECLARATION OR OATH

The enclosed Declaration or Oath has been executed by:

- ☒ Inventor(s);
- ☐ Legal representative of the inventors (37 CFR 1.42 or 1.43);
- ☐ Joint inventor or person showing proprietary interest on behalf of an inventor who refused to sign or who cannot be reached and this is a petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is attached;
- ☐ Has not been executed and is enclosed for the purposes of identifying the inventors.

### INVENTORSHIP STATEMENT

The inventorship for all the claims in this application is:

- ☒ the same;
- ☐ not the same and, as an explanation, a statement is/will be submitted.

### LANGUAGE

The application submitted herewith is:

- ☒ in English;
- ☐ in not in English and in terms of 37 CFR 1.52(d) a verified translation is
  - ☐ attached

☐ not attached.

### FEE CALCULATION

The filing fee has been calculated as shown below:

	SMALL ENTITY	OR	OTHER THAN A SMALL ENTITY
BASIC FEE Design Patent	\$170		\$340
BASIC FEE Utility Patent	\$385		\$770
EXTRA FEES	RATE	FEE	RATE FEE
TOTAL CLAIMS 16 MINUS 20 = 0	x 9 = \$		x 18 = \$
INDEP. CLAIMS 1 MINUS 3 = 0	x 43 = \$		x 86 = \$
<input type="checkbox"/> MULTIPLE DEP. CLAIM	+ 145 = \$		+ 290 = \$
<input type="checkbox"/> ASSIGNMENT	+ 40 = \$		+ 40 = \$
<input type="checkbox"/> RULE 53 SURCHARGE	+ 65 = \$		+ 130 = \$
TOTAL	\$		\$770.00

### FEE PAYMENT

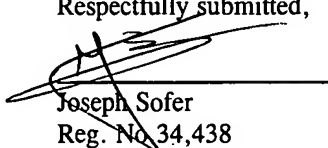
- ☐ No fee is enclosed.
- ☒ Attached is a check in the sum of \$ \$770.00 to cover the application fee and if possible, the assignment fee.
- ☐ Please charge Account No. 19-2825 the sum of \$\_\_\_\_\_.

### FEE DEFICIENCY

- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 19-2825:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 19-2825; Order No.: 727-006c.
- ☐ A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: \_\_\_\_\_

  
Joseph Sofer  
Reg. No. 34,438

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PATENT

Docket No. 727-006c

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Naoe et al.  
Serial No. : Not yet assigned  
Filed : November 5, 2003  
For : SEMICONDUCTOR ELECTRO-ABSORPTION OPTICAL MODULATOR...

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EL983225145US

Date of Deposit November 5, 2003

I hereby certify that the following attached paper(s) or fee

- 1) Continuation Patent Application (specif.-34pgs, claims-6pgs.)
- 2) Formal Drawings (9 sheets)
- 3) Patent Transmittal
- 4) Return Postcard
- 5) Express Mail Certificate
- 6) Declaration
- 7) Two Assignments
- 8) Two Assignment Recordation Sheet
- 9) Three Checks for \$770.00, \$40.00, and \$40.00
- 10) Information Disclosure Statement
- 11) 9 References

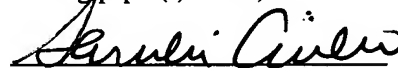
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37

C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks,

Washington, D.C. 20231.

Sandria Cirillo

(Typed or printed name of person  
mailing paper(s) or fee)



(Signature of person mailing  
paper(s) or fee)

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